Hadiza Dagabana-Sani [hdagabana-sani@TRANSCORPNIGERIA.COM] From:

Friday, July 27, 2007 8:10 AM Sent:

MONTGOMERY, SUZANNE L (Legal) To:

RE: AT&T Corp. v. AT&T Subject:

Dear Suzanne,

Thanks for your mail. I was on vacation and just resumed work yesterday. I am in discussion with my CEO and CFO to finalise the repayment proposal to you. I am working through the weekend on that and would send you the proposal by Monday. Thank you for your understanding. Regards

Hadiza Dagabana-Sani Transnational Corporation Plc 11, Alfred Rewane Ikoyi, Lagos

Mobile: 0803 320 5014

Tel: (+234) 1 2691024-5, 4630274

Fax: (+234) 1 4622074

www.transcorpnigeria.com

Transcorp..... Nigerians working for Nigeria

From: MONTGOMERY, SUZANNE L (Legal) [mailto:sm6526@att.com]

Sent: Fri 7/20/2007 11:54 PM To: Hadiza Dagabana-Sani Subject: AT&T Corp. v. AT&T

Dear Hadiza,

Attached please find copies of court pleadings that AT&T Corp. filed with the United States District Court for the Southern District of New York on July 20, 2007. AT&T Corp. remains very interested in reaching an amicable resolution of this issue with Nitel, and is hopeful that Nitel similarly is interested in such a resolution. I look forward to hearing from you.

Regards, Suzanne

Suzanne L. Montgomery, Esq. One AT&T Way, Room 3A219 Bedminster, New Jersey 07921 908-234-5695 832-213-0359 (FAX) sm6526@att.com

From: MONTGOMERY, SUZANNE L (Legal) [sm6526@att.com]

Sent: Tuesday, September 18, 2007 8:21 AM

To: Hadiza Dagabana-Sani Subject: AT&T Corp. v. Nitel

Attachments: Ltr to J Kaplan re initial pretrial conference.PDF



Dear Hadiza,

Please see the attached Order entered yesterday by Judge Kaplan of the United States District Court for the Southern District of New York and a letter that we are sending to the judge this morning.

AT&T remains very interested in reaching an amicable resolution of this dispute. I look forward to hearing from you.

Regards, Suzanne

Suzanne L. Montgomery, Esq. One AT&T Way, Room 3A219 Bedminster, New Jersey 07921 908-234-5695 832-213-0359 (FAX) sm6526@att.com

FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
666 FIFTH AVENUE, 31ST FLOOR
NEW YORK, NEW YORK 10103-3198
WWW.FULBRIGHT.COM

HBURNETT@FULBRIGHT.COM DIRECT DIAL: (212) 318-3324 TELEPHONE:

(212) 318-3000

FACSIMILE:

(212) 318-3400

September 18, 2007

BY HAND DELIVERY

Hon. Lewis A. Kaplan United States District Judge Daniel Patrick Moynihan United States Courthouse 500 Pearl St., Room 1310 New York, NY 10007

Re:

AT&T Corp. v. Nigerian Telecommunications, Plc.,

Index No. 07-CV-06544 (LAK)

Dear Judge Kaplan:

We represent AT&T Corp. ("AT&T") in the above-referenced action. We write regarding the Order Re Scheduling and Initial Pretrial Conference dated September 17, 2007 (the "Order"), a copy of which is enclosed.

AT&T is in the process of serving defendant Nigerian Telecommunications, Plc ("NiTel"). NiTel is located in Nigeria, a country that is not a signatory to the Hague Convention. While we anticipate that service will be effected on NiTel shortly, we respectfully request that the initial pretrial conference be put off until service on NiTel is complete. We will advise the Court once service has been completed so that the conference may be rescheduled. We have copied Ms. Hadiza Dagabana-Sani, General Counsel for NiTel, on this letter.

If you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

Henry G Burnett

Ms. Hadiza Dagabana-Sani (by electronic mail)

cc:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AT&T Corp.,

Plaintiff(s),

V.

Nigerian Telecommunications PLC.,
Defendant(s).

ORDER RE SCHEDULING AND
INITIAL PRETRIAL CONFERENCE

DATE FILED: 1/2/07

KAPLAN, District Judge.

This action having been assigned to me for all purposes, it is hereby, ORDERED as follows:

- 1. Counsel receiving this order shall promptly mail copies hereof to all other counsel of record or, in the case of parties for which no appearance has been made, to such parties.
- 2. Counsel for all parties are directed to confer regarding an agreed scheduling order. If counsel are able to agree on a schedule and the agreed schedule calls for filing of the pretrial order not more than six (6) months from the date of this order, counsel shall sign and email a PDF of the proposed schedule to the Orders and Judgment Clerk* within ten (10) days from the date hereof by using the consent scheduling order form annexed for the Court's consideration. If such a consent order is not filed within the time provided, a conference will be held on 10/4/07 in courtroom 12 D, 500 Pearl Street, New York, New York at 11:00 a.m.
- 3. Any party desiring a conference with the Court for purposes of discussing settlement, narrowing of issues, or other pertinent pretrial matters may request a conference by letter.
- 4. Counsel should be aware that this case has been designated for Electronic Case Filing (ECF). It is the responsibility of counsel to become familiar with and follow ECF procedures. Information regarding the ECF system can be found on the Court's website at www.nysd.uscourts.gov.

September 17, 2007

Lewis A. Kaplan United States District Judge

* Orders_and_Judgments@nysd.uscourts.gov

SOUTH	Case 1:07-cy-06544-LAK D STATES DISTRICT COURT HERN DISTRICT OF NEW YORK	Filed 09/17/2007	Page 2 of 2
	Corp., Plaintiff(s), v.	07-cv-06544 (L.	AK)
	nn Telecommunications PLC., Defendant(s).		
	<u>Consent Schedulin</u>	ig Order	
	Upon consent of the parties, it is hereby		
	ORDERED as follows:		
1.	No additional parties may be joined after		
2.	No amendments to the pleadings will be permitted after		
3.	The parties shall make required Rule 26(a)(2) disclosures with respect to: (a) expert witnesses on or before; (b) rebuttal expert witnesses on or before		
4.	All discovery, including any depositions of experts, shall be completed on or before		
5.	A joint pretrial order in the form prescribed in Judge Kaplan's individual rules shall be filed on or before		
6.	No motion for summary judgment shall be served after the deadline fixed for submission of the pretrial order. The filing of a motion for summary judgment does not relieve the parties of the obligation to file the pretrial order on time.		
7.	If any party claims a right to trial by jury, proposed voir dire questions and jury instructions shall be filed with the joint pretrial order.		
8.	Each party or group of parties aligned in interest shall submit not less than ten (10) days prior to trial (a) a trial brief setting forth a summary of its contentions and dealing with any legal and evidentiary problems anticipated at trial, and (b) any motions in limine.		
9.	This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the date hereof. Counsel should not assume that extensions will be granted as a matter of routine.		
Dated:			vis A. Kaplan States District Judge
CONS	ENTED TO: [signatures of all counsel]		-

Page 9 of 19

From: MONTGOMERY, SUZANNE L (Legal) [sm6526@att.com]

Sent: Monday, October 08, 2007 7:31 PM

To: Hadiza Dagabana-Sani

Cc: Burnett, Henry G.; O'Connell, Sarah

Subject: FW: 07cv6544 AT&T v. Nigerian Telecommunications

Dear Hadiza,

Attached is an email that we recently received from the judge's chambers regarding the scheduling of the initial pre-trial conference in this matter. That conference is now scheduled for Monday, November 5, 2007 at 4:30 pm in the United States District Court for the Southern District of New York, Courtroom 12D, 500 Pearl Street, New York, NY 10007 before Judge Lewis A. Kaplan.

Regards, Suzanne

Suzanne L. Montgomery, Esq. Senior Attorney - Litigation AT&T Services, Inc. One AT&T Way, Room 3A219 Bedminster, New Jersey 07921 908-234-5695 832-213-0359 (FAX) sm6526@att.com

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This message contains information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender at (908) 234-5695 and delete this e-mail message from your computer. Thank you.

From: Andrew_Mohan@nysd.uscourts.gov [mailto:Andrew_Mohan@nysd.uscourts.gov] Sent: Wednesday, September 26, 2007 10:37 AM

To: Burnett, Henry G.

Subject: 07cv6544 AT&T v. Nigerian Telecommunications

Dear Mr. Burnett: Judge Kaplan has received your 9/18/07 letter. In response he has adjouned the IPTC from October 4 to Monday November 5, 2007 at 4:30pm. When you serve the defendant, please inform them of the

date and time of the conference

\$\(\text{Figs.}\) \$\(\text{Fig

Andrew Mohan Courtroom Deputy to Judge Kaplan 212-805-0104

COURT INFORMATION

LETTERS are not to be filed by ECF. Letters to Judge Kaplan must be submitted by hard-copy. Judge Kaplan does not accept faxes without prior chambers' approval.

LOCAL RULES: SDNY Local Rules

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MONTGOMERY, SUZANNE L (Legal) [sm6526@att.com] From:

Sent: Friday, November 02, 2007 2:35 PM

Hadiza Dagabana-Sani To: AT&T Corp. v. Nitel Subject:

1562 001.pdf; FW: 07-cv-06544-LAK AT&T Corp. v. Nigerian Telecommunications PLC. Attachments:



1562 001.pdf (42

06544-LAK AT&T C Dear Hadiza,

Attached are: (1) an email that we received yesterday from the Courtroom Deputy of Judge Kaplan of the United States District Court for the Southern District of New York and (2) a letter that we sent the court earlier today.

<<1562_001.pdf>> <<FW: 07-cv-06544-LAK AT&T Corp. v. Nigerian Telecommunications PLC.>>

Regards, Suzanne

Suzanne L. Montgomery, Esq. One AT&T Way, Room 3A219 Bedminster, New Jersey 07921 908-234-5695 832-213-0359 (Fax) 908-635-4945 (Cell) sm6526@att.com

Filed 01/18/2008 Page 13 of 19

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A REGISTERED LIMITED LIABILITY PARTNERSHIP 666 FIFTH AVENUE, 31ST FLOOR NEW YORK, NEW YORK 10103-3198 WWW.FULBRIGHT.COM

HBURNETT@FULBRIGHT.COM DIRECT DIAL: (212) 318-3324 TELEPHONE:

(212) 318-3000

FACSIMILE:

(212) 318-3400

November 2, 2007

BY HAND DELIVERY

Hon, Lewis A. Kaplan United States District Judge Daniel Patrick Moynihan United States Courthouse 500 Pearl St., Room 1310 New York, NY 10007

Re:

AT&T Corp. v. Nigerian Telecommunications, Plc.,

Index No. 07-CV-06544 (LAK)

Dear Judge Kaplan:

We represent AT&T Corp. ("AT&T") in the above-referenced action. We write regarding the Initial Pretrial Conference currently scheduled for November 5, 2007.

On September 17, 2007, the Court sent an Order Re Scheduling the Initial Pretrial Conference. Upon receipt of the Order, AT&T informed the Court that it had not yet been able to effect service on Nigerian Telecommunications, Plc ("NiTel"), located in Nigeria. The Court rescheduled the initial pretrial conference to November 5, 2007. On October 2, AT&T effected service on NiTel, and provided 90 days for NiTel to respond to the Complaint. We respectfully request that the initial pretrial conference be postponed until after December 31, 2007, the date by which NiTel must make an appearance in this action. We have copied Ms. Hadiza Dagabana-Sani, General Counsel for NiTel, on this letter.

If you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

Hang Gr. Buntt/so

Henry G. Burnett

Ms. Hadiza Dagabana-Sani (by electronic mail)

cc:

From:

MONTGOMERY, SUZANNE L (Legal) [sm6526@att.com]

Sent: To: Friday, November 02, 2007 2:29 PM MONTGOMERY, SUZANNE L (Legal)

Subject:

FW: 07-cv-06544-LAK AT&T Corp. v. Nigerian Telecommunications PLC.

From: Andrew_Mohan@nysd.uscourts.gov [mailto:Andrew_Mohan@nysd.uscourts.gov] Sent: Thursday, November 01, 2007 3:21 PM To: Burnett, Henry G.; O'Connell, Sarah

Subject: 07-cv-06544-LAK AT&T Corp. v. Nigerian Telecommunications PLC.

Dear Counsel: The time of the conference on Monday, November 5, 2007 is moved up to 2:30pm. Since we have a busy criminal calendar starting at 2:30, I suggest that you and your adversary show up 5 minutes early to ensure that your conference is the first one the Judge hears. You should notify all other attorneys in this action of the new time of the conference.

Thank you.

Andrew Mohan Courtroom Deputy to Judge Kaplan 212-805-0104

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From:

MONTGOMERY, SUZANNE L (Legal) [sm6526@att.com]

Sent:

Monday, November 05, 2007 3:31 PM

To: Subject:

Hadiza Dagabana-Sani RE: AT&T Corp. v. Nitel

Attachments:

FW: 07cv6544 AT&T v. Nigerian



FW: 07cv6544 AT&T v. Nigerian

Dear Hadiza,

Attached is an email that we received on Friday from the Courtroom Deputy of Judge Kaplan of the United States District Court for the Southern District of New York.

Regards, Suzanne

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<<FW: 07cv6544 AT&T v. Nigerian>>
            MONTGOMERY, SUZANNE L (Legal)
> From:
            Friday, November 02, 2007 2:35 PM
> Sent:
> To: 'Hadiza Dagabana-Sani'
            AT&T Corp. v. Nitel
> Subject:
> Dear Hadiza,
> Attached are: (1) an email that we received yesterday from the
> Courtroom Deputy of Judge Kaplan of the United States District Court
> for the Southern District of New York and (2) a letter that we sent
> the court earlier today.
> << File: 1562_001.pdf >> << Message: FW: 07-cv-06544-LAK AT&T Corp.
> v. Nigerian Telecommunications PLC. >>
> Regards,
> Suzanne
> Suzanne L. Montgomery, Esq.
> One AT&T Way, Room 3A219
> Bedminster, New Jersey 07921
> 908-234-5695
> 832-213-0359 (Fax)
> 908-635-4945 (Cell)
> sm6526@att.com
```

From:

MONTGOMERY, SUZANNE L (Legal) [sm6526@att.com]

Sent: To: Subject: Monday, November 05, 2007 3:30 PM MONTGOMERY, SUZANNE L (Legal) FW: 07cv6544 AT&T v. Nigerian

From: Andrew_Mohan@nysd.uscourts.gov [mailto:Andrew_Mohan@nysd.uscourts.gov] Sent: Friday, November 02, 2007 2:18 PM

To: Burnett, Henry G.

Subject: 07cv6544 AT&T v. Nigerian

Dear Mr. Burnett: The Monday conference is adjourned until 1/11/07 at 10:00am.

THE STATE AND AND ADDRESS AND

Andrew Mohan Courtroom Deputy to Judge Kaplan 212-805-0104

COURT INFORMATION

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